

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LOCAL 2507, UNIFORMED EMTS,
PARAMEDICS & FIRE INSPECTORS, et al.,

Plaintiffs,

-v.-

CITY OF NEW YORK,

Defendant.

ORDER

22 Civ. 10336 (AT) (GWG)

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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

The Court has reviewed the parties’ proposals (Docket # 202) as to the completion of discovery in this matter. The Court has considered the plaintiffs’ proposal to “stage” the close of discovery and concludes that whatever merit may inhere in the proposal is outweighed by the potential for duplicative discovery and arguments as to what discovery goes to liability and what discovery goes to damages.

The Court notes that the first expert disclosure deadline set forth below occurs prior to the close of fact discovery. To the extent that fact discovery is needed for any expert reports, the parties must work to ensure that the necessary fact discovery is completed well before the expert disclosure deadline. Thus, while the Court is not ordering specific dates for the completion of depositions, the Court expects the parties to complete depositions necessary for expert reports in time to be used for those reports.

Having considered the various other arguments as to timing, the Court orders as follows:

1. All requests for documents and interrogatories pursuant to Local Civil Rule 33.3(a) shall be served by February 28, 2025, unless a party could have not been expected to know by that date the relevance of a particular request or interrogatory.
2. All fact discovery shall be commenced in time to be completed by August 11, 2025.
3. Disclosure of expert evidence as required by Rule 26(a)(2)(A), (B) or (C), including the identities and reports of experts, if any, shall be made by July 31, 2025.

The disclosure of expert evidence intended by a party solely to contradict or rebut expert evidence on the same subject matter disclosed by the opposing party shall be made by September 10, 2025.

4. Depositions of experts shall be completed October 3, 2025.

5. All discovery (including requests for admission and any applications to the Court with respect to the conduct of discovery) must be initiated in time to be concluded by the deadline for all discovery. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application and in accordance with this Court's Individual Practices. Any application not in compliance with this paragraph will be denied. To the extent a party expects to produce electronically stored information, the parties shall promptly discuss the protocols for the search and review of such material.

6. All applications to the Court must comply with this Court's Individual Practices, which are available through the Clerk's Office or at:

<https://nysd.uscourts.gov/hon-gabriel-w-gorenstein>. Discovery applications -- that is, any application or motion pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such an application arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.


7. Any request to Judge Torres for permission to make a motion for summary judgment shall be filed on or before October 10, 2025, and shall comply with paragraph III(A) and III(C) of Judge Torres's Individual practices.

8. If no such letter is filed, the parties shall file the joint pretrial materials required by paragraph 11 of Docket # 26 on or before October 24, 2025. In such a letter is filed, the materials shall be due 45 days after the disposition of the summary judgment motion.

9. Class notice. Plaintiffs shall supply to defendants a draft notice to the class by February 7, 2025. The parties shall consult promptly on the drafting of such notice and shall file a joint proposal or competing proposals on or before February 18, 2025, as to the wording of the notice, the timing of the transmission of the notice, and any other matters relevant to providing class notice. In the meantime, defendants shall prepare the necessary class member information for distributing class notice. The information shall be provided to plaintiffs in an agreeable format on or before February 11, 2025. The parties may extend the deadlines in this paragraph by mutual agreement as long as the Court is informed of any agreement by letter.

SO ORDERED.

Dated: January 22, 2025
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge